

Kinningham, Becky

From: Freeman, Gregg <gfreeman@hireright.com>
Sent: Friday, July 20, 2012 8:25 AM
To: Foster, Brian
Subject: attorney confidential - SecureSend
Attachments: Swift 33620 MAR_2012_Monthly.pdf; Swift 53651 MAR_2012_Monthly.pdf; Swift 1271377 MAR_2012_Monthly.pdf; Swift 1098879 MAR_2012_Monthly.pdf

Brian,

Below is the breakdown by account that you requested. The total # of unique consumers calculated this way exceeds the previous 125,211 count, because this report reflects unique applicants within each specific account but some of these applicants were screened in multiple accounts (i.e., there are duplicates across accounts). The total number of unique orders (column 2) is very close to the original volume count provided. Note also, that we identified 2 additional Swift accounts (Central Freight #5633 and Swift Driving Academy #4005) within the Swift family, and one account previously provided (Contributions – 00001243) does not appear within the Swift family of accounts when we query the system (so I'm confirming whether it was an error to have included it originally). Again, the system-generated data below may not be perfect, but should give you a good sense of distribution and totals. Attached also are sample March 30, 2012 invoices for 4 additional of the accounts.

Account #	Name	# Unique Consumers	# Unique Orders
0100033620	Swift Transportation AZ	16853	21306
0100053651	Swift Transportation Web	103384	187549
0100295633	Central Freight Lines	797	1088
0101098879	Swift Transportation Security	45217	57886
0101214005	Swift Driving Academy-Lewiston	108	109
010271377	Swift Transportation Inc	2047	3404
		168,406	271,072

00033620 – Safety
 00053651 – Recruiting
 00295633 – Central Freight Lines
 01098879 – Security
 01214005 – Swift Driving Academy
 01271377 – Active, but no department listed in system

Regards,

Gregg D. Freeman
 Vice President, Deputy General Counsel
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From: Freeman, Gregg
Sent: Wednesday, July 18, 2012 8:17 PM
To: Foster, Brian
Subject: RE: attorney confidential - SecureSend

Brian,

Apologies, but was tied up today. How does tomorrow look to discuss? I can free-up except from 11-1pm and 3-4 pm (PT).

By way of updates, we've confirmed:

- That we did not fulfill the mailing of pre/adverse action notices on Swift's behalf, so we would not have sent report copies to Swift's applicants directly unless through one of the other means I referenced below.
- All of the "Closed" accounts listed below were set to closed status in 2005, so none would be relevant. As such, we're looking to run a report for you on the number of unique SSN's screened within the 5 active accounts over the relevant time period of August 1, 2009 through March 31st, 2012. If Swift re-screens employees, or has rescreened the same applicant more than once, then the report would not capture this, but it should provide you with a good sense of unique consumers screened. Whether we can in some automated way help account for the repeat screens, I don't yet know. I will try for a status update tomorrow before we speak.
- The invoice sample I provided relates only to one of the 5 Swift accounts. Each would have its own invoice.

Regards,

Gregg

From: Foster, Brian [<mailto:bfoster@swlaw.com>]
Sent: Wed 7/18/2012 11:09 AM
To: Freeman, Gregg
Subject: RE: attorney confidential - SecureSend

Gregg can we set a time to talk today? I am available at 1130 or 215. Will one of these work for you?

-----Original Message-----

From: Freeman, Gregg [<mailto:gfreeman@hireright.com>]
Sent: Monday, July 16, 2012 5:28 PM
To: Foster, Brian
Cc: Lomax, John; Kroeger, Joe
Subject: RE: attorney confidential - SecureSend

The invoice appears to correspond to the Recruiting account, but I don't know for certain. I will need to confirm with the account manager and get back to you, Brian.

Gregg

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-----Original Message-----

From: Foster, Brian [<mailto:bfoster@swlaw.com>]

Sent: Monday, July 16, 2012 5:23 PM

To: Freeman, Gregg

Cc: Lomax, John; Kroeger, Joe

Subject: Re: attorney confidential - SecureSend

Thanks Gregg. So was the invoice you e mailed me for 1 of the 5 active accounts? If so which one ? Would each active account receive a separate invoice like the one you sent me ?

Sent from my iPhone

On Jul 16, 2012, at 5:04 PM, "Freeman, Gregg" <gfreeman@hireright.com<<mailto:gfreeman@hireright.com>>> wrote:

You're welcome, Brian.

Regarding your question about HireRight providing report copies directly to Swift's applicants, it will depend on the services and products ordered. E.g., if Swift contracted for HireRight to fulfill the sending of written pre-adverse action notices on Swift's behalf, then we would have sent the reports. I don't believe this was something we fulfilled, however. Also, e.g., if Swift ordered HireRight's now retired (since late 2009/early 2010) 20/20 criminal database product, then HireRight may have sent its own letter and copy of report directly to the applicant. I've asked the account manager to look into this as part of the preliminary data collection, and once I've received feedback we can discuss further. The other way in which HireRight would provide report copies directly would be if the consumer reached out directly to us to request a file disclosure, which happens from time to time.

Below is a list of currently active and now closed accounts. The account manager is looking into whether we can identify the activation/deactivation dates of the closed accounts so that we can determine whether the reports in those accounts would fall within the relevant time period. I still suspect, however, that it will be easiest to run a report out of all the Swift accounts by SSN and date during the relevant time period, but I'll let you know once we've investigated the best options with our reporting team.

Active:

00053651 – Recruiting

00033620 – Safety

01098879 – Security

00001243 – Contributions

01271377 – Active, but no department listed in system

Closed:

00118173

00148725

00158013

00299205

00325323

00003008

00003123

00085067

Regards,

Gregg

Gregg D. Freeman

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From: Foster, Brian [<mailto:bfoster@swlaw.com>]

Sent: Monday, July 16, 2012 11:45 AM

To: Freeman, Gregg

Subject: RE: attorney confidential - SecureSend

Thanks Gregg Also can you tell whether Hireright sent copies of the consumer consumer reports it ran to the people that Swift ordered consumer reports for during this August 1,2009 to March 30,2012? Was that Hirerights practice to do this during this timeframe?

From: Freeman, Gregg [<mailto:gfreeman@hireright.com>><mailto:gfreeman@hireright.com>]

Sent: Monday, July 16, 2012 9:21 AM

To: Foster, Brian

Subject: attorney confidential - SecureSend

Dear Brian,

It was a pleasure speaking with you last week.

We are working on assessing/assembling the following information for you in follow-up to our call last week, and hope to be able to respond this week:

1. Number of active accounts (and company name associated with each) Swift has had from August 1, 2009 through March 31st, 2012
2. Summary of Swift's order package(s)/process (e.g., bundled?, phased ordering?)
3. Whether/how HireRight can run a system report that pulls from the Swift account(s) the number of applicants/employees screened during the specified timeframe. Determine whether we can report by unique SSN (which would count only once each consumer screened, and would not account for repeat screens of the same consumer over time – e.g., employee re-checks) and/or unique background orders (which would count the same consumer more than once if Swift ordered more than one background report on the same individual over time)

In the meantime, attached is a copy of HireRight's March 30, 2012 invoice for your records and review. (I'm sending it by secure electronic transmission, so please let me know if you have any difficulties opening it. It is 350 pages.)

Regards,
Gregg

Gregg D. Freeman

Vice President, Deputy General Counsel

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